

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

MARK A. COWART, )  
                      )  
Plaintiff,         )  
                      )          CIVIL ACTION NO.  
VS.                 )  
                      )          3:10-CV-1800-G (BN)  
FNU ERWIN, ET AL., )  
                      )  
Defendants.        )

**ORDER**

The United States Magistrate Judge made findings, conclusions, and recommendations in this case. Defendants filed objections, and the district court has made a *de novo* review of those portions of the proposed findings, conclusions, and recommendation to which objection was made. While the court appreciates the lack of evidence of a grievance filing emphasized by the defendants, it respects the magistrate judge's determination that the plaintiff's testimony that he had in fact filed a grievance was credible. The court also agrees with the magistrate judge that this was all that was required of the plaintiff under the prison's grievance procedure. The defendants' objections are therefore overruled, and the court **ACCEPTS** the findings, conclusions, and recommendations of the United States Magistrate Judge.

**SO ORDERED.**

November 26, 2013.

  
A. JOE FISH  
Senior United States District Judge